

DRAFT

**Minutes
Windsor Town Council Meeting
Town Hall
February 9, 2010**

The Windsor Town Council met in regular session on February 9, 2010 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Police Chief Porti, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present:

- J. Clinton Bryant
- Wesley F. Garriss
- William L. Jones
- Carita J. Richardson
- Durwood V. Scott
- Greg Willis

Mayor Crocker asked Vice Mayor Jones to give the invocation, and Vice Mayor Jones did.

Public Hearing

None

Delegations, Public Comments, and Citizens Concerns

Melvin Atkinson, 13199 Poor House Road, said he is PTA President for Windsor Middle School. He said he is before Council to inform Council about the potential closing of Windsor Middle School. He said the Windsor Middle School PTA opposes the closure of the school. Mr. Atkinson said the PTA adopted a resolution on February 8, 2010 stating their concerns of the potential closing of Windsor Middle School. He read the resolution to Council. Mr. Atkinson said the potential closing will have an adverse affect on the students' health and safety, quality of education, and further impact the economy. He said with the potential closing of the middle school, sixth grade students would go to Windsor Elementary School and seventh and eighth grade students would attend Windsor High School. He said there are no detailed plans at this time as to how this is to work. Mr. Atkinson asked for Council's support by voicing their concerns to the Isle of Wight County Board of Supervisors and School Board regarding the potential closing of Windsor Middle School. He left a copy of the adopted resolution and a list of concerns regarding the potential closure of Windsor Middle School for Council to review.

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which included the minutes of the January 12, 2010 Special Called Council meeting, the minutes of the January 12, 2010 Council meeting, the minutes of the January 21, 2010 Council meeting, and the Treasurer's reports. Councilman Garris made a motion to approve the consent agenda as presented. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Town Manager's Report

Stormwater Management Plan

Mr. Rowe said at Council's January 21, 2010 meeting Council asked that the draft Stormwater Management Plan be placed on the agenda for this meeting so Council could entertain holding a public hearing on the plan at its March meeting. He said he recommends that Town Council hold a public hearing on the draft Stormwater Management Plan at its March meeting.

Councilwoman Richardson made a motion to hold a public hearing on the draft Stormwater Management Plan at its March meeting. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

The Buyback of a Cemetery Lot – Resolution to Appropriate Funds

Mr. Rowe said according to the Town's Cemetery Policy, the Town will purchase back cemetery plots for a price of \$200 each, or the cost of the lot if the Town can determine the cost, whichever is greater. He said a resident came in making a request for the Town to buy back a cemetery plot, and she could not determine how much the plot originally cost. He said therefore, in accordance with the Town's Cemetery Policy, the buyback price is \$200. Mr. Rowe said there is no non-categorical expense in the Cemetery budget to cover this buyback expense. He said the resolution enclosed is for Council's consideration to appropriate the funds from the Cemetery Fund Unappropriated Balance. He said he recommends that Council adopt this resolution. Mayor Crocker asked the Clerk to read the title of the resolution. Ms. Hewett read the title of the resolution as follows: "A resolution appropriating the sum of \$200 from the unappropriated fund balance of the Cemetery Fund of the Town of Windsor to the Town's Cemetery Budget for Fiscal Year 2009-2010 for the buyback of a cemetery plot."

Vice Mayor Jones made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$200 From The Unappropriated Fund Balance Of The Cemetery Fund Of The Town of Windsor To The Town's Cemetery Budget For Fiscal Year 2009-2010 For The Buyback Of A Cemetery Plot*. Councilman Garris

seconded, and after discussion among Council regarding the Cemetery Fund and Cemetery policy, Council unanimously passed the motion as recorded on the attached chart as motion #3.

Sidewalk Project Status Report and Appropriation Resolution

Mr. Rowe said he commends Mr. Stallings for a job well done on this project. He said that the Town has met all the requirements of the federal stimulus funds for the construction of new sidewalks. He said the Town has submitted all required documents to the Virginia Department of Transportation (VDOT) by the February 2nd deadline. He said the current VDOT schedule has all federal stimulus funded projects being authorized for bids on March 2, 2010.

Mr. Rowe said at the beginning of the project, staff recommended, and Council concurred, that the Town pay the engineering cost with Town funds instead of using federal stimulus monies. He said because this is a capital project and not a reoccurring expense, he recommends that Council appropriate the sum of \$25,665 from the Unappropriated Fund Balance of the General Fund to cover the engineering expense portion of the project. He said the enclosed resolution for Council's consideration makes this appropriation, and he would recommend that Council adopt the resolution. Mayor Crocker asked the Clerk to read the title of the resolution. Ms. Hewett read the title of the resolution as follows: "A resolution appropriating the sum of \$25,665 from the unappropriated fund balance of the General Fund for the engineering fees associated with the federal stimulus funded sidewalk project."

Councilman Garris made a motion to adopt the resolution entitled: *A Resolution Appropriating The Sum Of \$25,665 From The Unappropriated Fund Balance Of The General Fund For The Engineering Fees Associated With The Federal Stimulus Funded Sidewalk Project.* Vice Mayor Jones seconded, and after Council discussed the project, it unanimously passed the motion as recorded on the attached chart as motion #4.

Water System Project Status Report

Mr. Rowe said the water system project status report enclosed in Council's agenda packet is self-explanatory. He said the Town received good bids on the project and have a good contractor working on the water system project. He said the contractor told him that the soil conditions are the wettest and nastiest that he has seen in two decades. He said due to these soil conditions there is going to be more select fill material needed for the project than originally anticipated. Mr. Rowe said the contractor, despite the weather, is ahead of the schedule and anticipates he may finish the project two months ahead of schedule. He said by completing the project two months early, this will save the Town approximately \$25,000 in inspection costs. He said if anyone has any questions he would be glad to answer them at this time.

Calendar of Events

Mr. Rowe said the calendar of events is self-explanatory, and is in Council's agenda packet for Council's information.

Late Item – Auditor's Engagement Letter

Mr. Rowe said a copy of the auditor's engagement letter is before Council, and he recommends that Council engage Diane Y. Smith, CPA for auditing services as described in the engagement letter. He said he also recommends that Council authorize and direct the Town Manager to sign this engagement letter.

Mayor Crocker asked what type of work relationship the staff had with the auditor. Mr. Rowe said it is a very good relationship. He said Mrs. Smith is a very professional individual. He said Mrs. Smith not only does the audit, but advises staff on accounting and auditing questions that arise from time to time, which is disclosed to Council in the annual audit report.

Councilwoman Richardson made a motion for the Town to engage Diane Y. Smith, CPA, PC for auditing services per the engagement letter dated February 5, 2010, and the Council hereby directs and authorizes the Town Manager to sign said letter. Councilman Bryant seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Council agreed this engagement is for one year, and would be Council's choice to have Mrs. Smith for the remainder two years as specified in the engagement letter.

Police Chief's Report

Chief Porti said for the month of January there were a total of 192 calls of which Windsor Police Department answered 184 calls. He said there were a total of 284 traffic stops which resulted in 244 traffic summons and 27 warnings. He said there was one wanted person arrested through traffic enforcement and one DUI arrest. Chief Porti said there were four felony arrests which resulted in 10 charges and 11 misdemeanor arrests which resulted in 13 charges.

Chief Porti said Sergeant Reynolds attended a "start up" meeting to be part of Isle of Wight County's effort to become a "Certified Crime Prevention Community". He said Sergeant Reynolds will be a part of the steering committee. He said this program is very good public relations and marketability for the Town, and shows that the Town is taking an active interest.

Chief Porti said January 29th and 30th brought heavy snowfall to the Town, but there was no increase in accidents or calls for service due to the weather. He reported to Council the accident Officer Owens had while on duty. He said there

was a minimal amount of damage to the vehicle and there were no injuries. He said the insurance company has been notified.

Town Attorney's Report

No report.

Mayor's Report

Mayor Crocker said the Isle of Wight Board of Supervisors action report is in the Town Office for anyone who wishes to review the report. He reported that he attended the Mayors and Chairs meeting on January 22, 2010 held in Hampton. He said he will be attending Legislative Day scheduled for February 11, 2010 in Richmond along with Mr. Rowe and Mr. Stallings. He said Legislature will be drafting the State budget.

Other Reports

Councilman Scott said the Economic Development Committee met on Monday, February 8, 2010. He said the committee reviewed the short and long term goals, and he had a copy of the revised goals for Council's consideration and approval. Mayor Crocker asked if there was a cost estimate on each of the goals listed. Councilman Scott said the only item at this time that might have a cost is the development of a Town brochure, but he did not have a cost amount at this time.

Councilman Scott made a motion to accept the goals of the Economic Development Committee presented to Council. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Planning Commission

Mr. Rowe said the January Planning and Zoning report is in the Council packets and is self-explanatory. He said the next Planning Commission meeting is 7:00 p.m. on February 24, 2010.

Old or Unfinished Business

Vice Mayor Jones said he is looking for a solution to the problem with the number of cars a resident can have parked on their property. He said he cannot let this issue die without getting a solution to the problem.

Vice Mayor Jones said Council needs to schedule a date to have a work session to discuss a police building and to do some planning. He said this issue is not moving forward and a decision needs to be made.

Mayor Crocker said Council has a letter from Mr. Stallings giving two dates to possibly schedule an employment agreement meeting with Council and Mr. Stallings. He said the two dates mentioned are February 16, 2010 and February 22, 2010. After discussion among Council, it was the consensus of Council that neither one of the dates were a good time. Mayor Crocker asked Mr. Rowe to let Mr. Stallings know that Council needs more dates for consideration.

New Business

Mayor Crocker said he would like to address the issue that Mr. Atkinson brought to Council at the beginning of the meeting regarding the potential closing of Windsor Middle School. Councilwoman Richardson asked Mr. Atkinson if he knew what the student population was for Windsor High School. Mr. Atkinson said he thought there were about 120 students per grade, which comes to about 495 to 520 students attending Windsor High School. Councilwoman Richardson asked what the student population was for the seventh and eighth grades. Mr. Atkinson said it was approximately 120 students per grade to be moving to the high school. Councilwoman Richardson said she is concerned about crowding in classrooms, and she is also concerned about not having a middle school in this community.

Councilman Willis said the Southern Isle of Wight Civic League has scheduled a meeting on February 13, 2010 at Checkers Restaurant at 4:00 p.m. to discuss the potential closing of the middle school. He said Mr. Stan Clark has agreed to attend this meeting, as well as the Smithfield Times.

Council further discussed the issue of the potential school closing. After much discussion, it was suggested to have Mr. Pretlow and Mr. Rowe work together to draft a letter stating Council's opposition regarding the potential closing of Windsor Middle School for Council's review. Mr. Rowe said once Council agrees on the letter, then the letter would be sent to the Isle of Wight School Board and Board of Supervisors.

Council also discussed the possibility of drafting a resolution on this issue for its consideration at the March 9, 2010 Council meeting. Vice Mayor Jones suggested contacting Mr. Wright, Windsor's representative on the Isle of Wight Board of Supervisors and also the Windsor representative on the School Board to invite them to attend the next Council meeting to address some of the issues. Mr. Pretlow suggested having a special meeting of Council and the Windsor School Board representatives to discuss this issue before the March 9, 2010 Council meeting. Mayor Crocker thanked Mr. Atkinson for coming to the meeting.

Councilwoman Richardson said Mr. Jessee had contacted her regarding flooding and water standing in the street where he lives. Mr. Rowe said he will forward

this information to Mr. Stallings and ask him to give Mr. Jessee a call to discuss his drainage problems.

Councilman Scott made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 for the purpose of discussing real estate matters regarding property within the Town of Windsor, and Section 2.2-3711, A-1 for personnel matters regarding the hiring of a town manager. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilwoman Richardson made a motion to go back into regular session. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Vice Mayor Jones made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Councilman Scott made a motion to adjourn. Councilman Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10. The meeting adjourned at 9:21 p.m.

Marvin A. Crocker, Jr., Mayor

Robin Hewett, Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date February 9, 2010

Motion #	Jones	Garris	Richardson	Willis	Scott	Bryant	M. Crocker
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
9	Y	Y	Y	Y	Y	Y	
10	Y	Y	Y	Y	Y	Y	
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February 9, 2010
Robin Hewett, Clerk/Treasurer